

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

A request for a one month extension of the period for response to the Office Action mailed on May 31, 2011 is enclosed. The extended period for response expires on September 30, 2011.

Claim Status

Claims 1-13 were presented and are pending. Claims 1, 3, 7 and 13 are amended.

Claim Rejections – 35 USC 112

Claims 1-13 are rejected under 35 USC 112, second paragraph as indefinite. In particular, the Action asserts that the invention is directed to a magnetic switch and that a magnetic switch is not reflected in the claims. In response, applicant traverses the rejections.

The present invention is directed to a bearing display apparatus (such as a mobile phone) having a geomagnetic sensor for detecting earth-magnetism. The invention recognizes that an event of an electronic part of the mobile phone (the bearing display apparatus), while not related to the geomagnetic sensor, would impact the reading thereof (see paragraph 0010 of published application US 2008/0294336). Accordingly, one aspect of the invention is that the display of bearing information is updated when such an event is detected.

In this regard, amended claim 1 provides a bearing display apparatus including a control unit that:

...monitors for an event that is a change in operation of an electronic part in the bearing display apparatus and updates display of the information of the bearing on the display unit in accordance with an occurrence of the event.

In one example, the electronic part of the mobile phone is open/close judgment unit 153. The mobile phone includes two housings, and movable mechanism unit 4 detects whether the housings are open or closed (paragraphs 0061-0063). Open/close judgment unit 153 determines whether the housings of the mobile phone are open or closed based on movable mechanism unit 4. The event is a change of the open/close state. See paragraphs 0011-0013 and 0090; and claim 3. Open/close judgment unit 153 is an electronic part of the mobile phone.

The Action apparently contends that movable mechanism unit 4 is a magnetic switch, and that the magnetic switch is not an electronic part. However, as shown above, in this example, open/close judgment unit 153 is the electronic part, and not movable mechanism unit 4.

In another example, the electronic part of the mobile phone is memory card (storage medium) unit 159. The event is the loading of the memory card. See paragraphs 0193 and 0194; and claim 2. A memory card unit is an electronic part of the mobile phone.

In yet another example, the electronic part of the mobile phone is a luminance changing unit that changes the luminance of the display. The event is a change of display luminance. See paragraph 0153 and claim 5. Alternatively, the electronic part of the mobile phone is an audio processing unit for outputting audio. The event is an occurrence or absence of audio output. See paragraph 0158 and claim 5.

In another example, the electronic part of the mobile phone is a wireless communicating means. The event is a change in operation/non-operation of the wireless communicating means. See claim 6.

In view of the above, applicant submits that claims 1-13 distinctively claim the subject matter of the invention and are not indefinite. The rejections under 35 USC 112 should be withdrawn.

Claim Rejections – 35 USC 102

Claims 1, 2 and 5-13 are rejected under 35 USC 102(b) as anticipated by Knockeart (US 2003/0018428). In response, applicant traverses the rejections.

Knockeart is directed to a vehicle information system that includes in-vehicle system 105 and centralized server system 120. Server system 120 computes a route to the destination and transmits the computed route to in-vehicle system 105. That is, the vehicle downloads the planned route. In-vehicle system 105 guides the operator along the route. If in-vehicle system 105 detects that the vehicle has deviated from the planned route, the system re-plans a new route to the destination using an in-vehicle map database.

Paragraph 0188, cited by the Action, provides using two location estimates for a vehicle (for the purpose of detecting off-route instances). The first location estimate utilizes a GPS system. The second location estimate, or "dead reckoning", uses the locations of the "maneuver" and "way points" along the planned route and information from the velocity sensor, as a second location estimate. When the results of the two second location estimates differ, the vehicle is considered to be off the planned route, and an off-route routine is initiated.

The Action cites paragraph 0188 and identifies the aforementioned velocity sensor as corresponding to the "electronic part" of claim 1. The Action apparently contends that the determination of the vehicle being off-route corresponds to the "event" of claim 1. Further, the Action cites the process of downloading routes and maps (paragraph 0258) as corresponding to the limitation that the "control unit...updates display of the information of the bearing on the display unit in accordance with an occurrence of the event".

However, downloading routes and maps is not related to the bearing of the vehicle. The downloaded routes and maps are shown in FIGS. 8 and 9 (below). FIG. 8 illustrates a downloaded planned route, including starting location 690 and destination 692. FIG. 8 also includes "maneuver points" such as 790 and 732, and "way points" 733, 780, and 781. As shown in FIG. 8, the

downloaded planned route is not related to the vehicle bearing. That is, the downloaded planned route is the same regardless of the heading of the vehicle. Given that the downloaded planned route is unrelated to the vehicle bearing, the vehicle bearing is not even shown in FIG. 8.

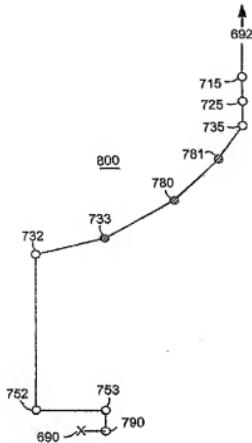
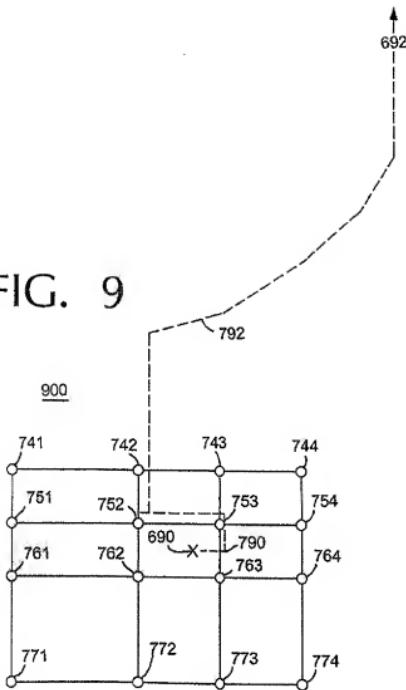


FIG. 8

FIG. 9 illustrates the downloaded planned route 792 and map (with link-joining nodes 741-744; 751-754; 761-764; 771-774). Again, the planned route and map are unrelated to the vehicle heading or bearing. That is, the planned route and map would be the same regardless of what direction the vehicle is heading. Given that the downloaded planned route and map are unrelated to the vehicle bearing, the vehicle bearing is not even shown in the figure above.

FIG. 9



Moreover, claim 1 requires that the bearing display apparatus update the bearing information display in accordance with an occurrence of the event. As discussed above, the alleged "event" is a determination that the vehicle is off the planned route. However, the planned route and map have to be downloaded before such determination. Without the planned route, it would be impossible to know whether the vehicle is off-route. Thus, downloading the planned route and map are prerequisite of the event (off-route detection) and does no take place according to the occurrence of the event as required by claim 1.

For these reasons, Knockeart does not disclose that the control unit "updates display of the information of the bearing on the display unit in accordance with an occurrence of the event", as recited in claim 1, or "a step of updating the display of the information of said bearing on said display

unit in accordance with an occurrence of said change in operation", as recited in independent claim 13.

Since Knockeart does not disclose each and every element of claims 1 and 13, Knockeart does not anticipate those claims or claims 2 and 5-12 dependent thereon. The rejections under 35 USC 102 should therefore be withdrawn.

Claim Rejections – 35 USC 103

Claims 3 and 4, which depend from claim 1, are rejected under 35 USC 103(a) as obvious over Knockeart in view of Bell (US 2005/0137001) and Walters (US 6,850,844). In response, applicant traverses the rejections.

Bell, which is cited for relevance to a magnetic switch, and Walters, which is cited for relevance to handheld, multipurpose devices, do not remedy the deficiencies of Knockeart with respect to base claim 1. Accordingly, the rejections under 35 USC 103 should be withdrawn.

Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 07-1896.

Respectfully submitted,
DLA PIPER LLP (US)

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